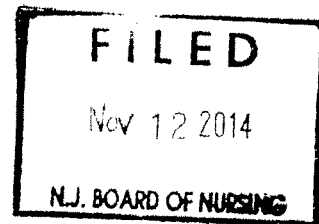


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STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
STATE BOARD OF NURSING

IN THE MATTER OF THE LICENSE OF	:	
	:	Administrative Action
KELSEY PETERSON, L.P.N.	:	
License No. 26NP06205100	:	
	:	FINAL ORDER
	:	OF DISCIPLINE
TO PRACTICE NURSING	:	
IN THE STATE OF NEW JERSEY	:	

This matter was opened to the New Jersey State Board of Nursing ("Board") upon receipt of information, which the Board has reviewed and upon which the following findings of fact and conclusions of law are made:

FINDINGS OF FACT

1. Kelsey Peterson, L.P.N. ("Respondent") is a licensed practical nurse in the State of New Jersey and has been a licensee at all relevant times.

2. On or around May 16, 2013, Respondent completed an online biennial license renewal application, which asked "Will you have completed the required continuing education credits by May 31, 2013," referring to the thirty hours of continuing education required during the June 1, 2011 - May 31, 2013 biennial period. Respondent answered "yes" and certified that answer to be true by submitting the online application.

3. On May 20, 2013, the Board received information indicating that Respondent was arrested on May 17, 2013 by the Hamilton Township Police Department and charged with shoplifting, in violation of N.J.S.A. 2C:20-11B(1).

4. On May 29, 2013, the Board sent Respondent a letter of inquiry via regular and certified mail requesting certain information about the arrest, nursing employment and certificates of completion of all credits earned during the previous three years.

5. On June 24, 2013, Respondent submitted a response stating that the case was still pending and her plea was not guilty. Respondent indicated that she would continue to update the Board. Respondent did not provide copies of the police report, any updates, plea agreement, disposition, sentencing, proof of completion of sentencing, a narrative, the name and address of her current employer, shift worked, job title,

performance evaluation, or any other information requested, including certificates of completion of continuing education.

4. The Board has received no further updates from Respondent pertaining to her criminal charges or her certificates of completion of continuing education.

CONCLUSIONS OF LAW

Respondent's failure to respond to the Board's inquiry constitutes a failure to cooperate with a Board investigation, in contravention of N.J.A.C. 13:45C-1.2 and 1.3, which the Board deems professional misconduct within the meaning of N.J.S.A. 45:1-21(e), and also subjects Respondent to disciplinary action pursuant to N.J.S.A. 45:1-21(h).

Pursuant to N.J.A.C. 13:37-5.3(b), a nurse shall complete a minimum of 30 hours of continuing education per biennial period. Falsification of any information submitted on the renewal application may result in penalties and/or suspension or revocation of license. N.J.A.C. 13:37-5.3(a). Additionally, a registered professional nurse or licensed practical nurse shall maintain continuing education compliance documentation for a period of four years after completion of the hours and shall submit such documentation to the Board upon request. N.J.A.C. 13:37-5.3(f).

Respondent failed to demonstrate, to the satisfaction of the Board, that Respondent completed any continuing education required for the June 1, 2011 - May 31, 2013 biennial renewal period. Respondent's failure to complete 30 hours of continuing education during the June 1, 2011 - May 31, 2013 biennial period constitutes a violation of N.J.A.C. 13:37-5.3, which the Board deems professional misconduct within the intendment of N.J.S.A. 45:1-21(e) and also constitutes a violation or failure to comply with a regulation administered by the Board within in the intendment of N.J.S.A. 45:1-21(h).

Further, the Board finds that Respondent's submission of her 2013 renewal, wherein she answered affirmatively that she had completed, or would complete, the required continuing education, when she did not complete the required continuing education, constitutes the use or employment of dishonesty, deception, or misrepresentation within the intendment of N.J.S.A. 45:1-21(b).

Based on the foregoing findings and conclusions, a Provisional Order of Discipline suspending Respondent's license to practice nursing in the State of New Jersey was entered on July 2, 2014 and a copy was forwarded to Respondent at the last known address on file with the Board. The Provisional Order was subject to finalization by the Board at 5 p.m. on the 30th business day following entry unless Respondent requested

modification or dismissal setting forth in writing any and all reasons why said findings and conclusions should be modified or dismissed and submitting any and all documents or other written evidence supporting Respondent's request for consideration and reasons therefore.

Although the Provisional Order sent by means of certified mail was returned as "unclaimed", the regular mail was not returned. N.J.A.C. 13:37-5.7 states, "A licensee or certificant shall notify the Board in writing of any change of address from that registered with the Board and shown on the most recently issued license or certificate. . . . Such notice shall be given no later than 30 days following the change of address. Service to the street address registered with the Board shall constitute effective notice pursuant to N.J.A.C. 13:45-3.2." Because the Order was forwarded to Respondent's address of record, the Board deems service to have been effected. Accordingly, it determined that further proceedings were not necessary and that the Provisional Order should be made final.

ACCORDINGLY, IT IS on this 12th day of November, 2014,

ORDERED that:

1. Respondent's license to practice as a licensed practical nurse is suspended until such time as she provides all

the requested information in the Board's letter of inquiry, and until such time as Respondent provides proof that she is up to date on continuing education, including completion of 30 hours of continuing education to be applied to the June 1, 2011 - May 31, 2013 biennial period. Continuing education completed after May 31, 2013 and applied to cure the deficiency of a previous biennial period shall not be used to satisfy the requirements of the current biennial period.

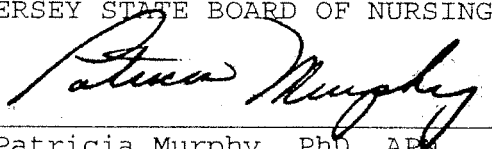
2. Respondent is hereby reprimanded for violating N.J.S.A. 45:1-21(b).

3. A civil penalty in the aggregate amount of seven-hundred and fifty dollars (\$750.00) is imposed upon Respondent for failure to cooperate and for failing to timely complete her continuing education requirements. Payment shall be made by certified check or money order payable to "State of New Jersey," delivered to George Hebert, Executive Director, State of Board of Nursing, P.O. Box 45010, Newark, New Jersey 07101. Payment shall be made no later than fifteen (15) days after the entry of this Final Order of Discipline. In the event Respondent fails to make a timely payment, a certificate of debt shall be filed in accordance with N.J.S.A. 45:1-24 and the Board may bring such other proceedings as authorized by law.

4. Respondent shall refrain from practicing as a licensed practical nurse in the State of New Jersey and shall not represent herself as a licensed practical nurse in the State of New Jersey until such time as Respondent's license is reinstated. Any practice in this State prior to reinstatement shall constitute grounds for a charge of unlicensed practice.

NEW JERSEY STATE BOARD OF NURSING

By: _____


Patricia Murphy, PhD, AEN
Board President